

### Interview Summary

**Application No.**

10/086,882

**Applicant(s)**

WEI ET AL.

**Examiner**

Prema M Mertz

**Art Unit**

1646

All participants (applicant, applicant's representative, PTO personnel):

(1) Prema M Mertz (Primary Examiner). (3)\_\_\_\_\_.

(2) Mark J. Hyman (Attorney). (4)\_\_\_\_\_.

Date of Interview: 17 November 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 21-101.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Prema Mertz  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: It was indicated to Mr. Hyman that claims 44 and 66 recited "chemokine alpha-6 activity" but it was unclear what this activity was (a 35 USC 112, second paragraph rejection). Furthermore, recitation of "% identity" required the recitation of the specific biological activity of the polypeptide to obviate a 35 USC 112, first paragraph (written description and scope rejection). Furthermore, new claims 102-111 precipitated 35 USC 112 first and second paragraph rejections because it was unclear what "endothelial function" was inhibited and which fragment of the polypeptide was "angiostatic". Mr. Hyman would also supply the statement regarding the ATCC deposit to obviate a 35 USC 112, first paragraph non-enablement rejection .